

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICERS
ERIC K. SNYDER
FRANK J. JOCHER
MATTHEW F. MILLER

August 9, 2005

SUPERVISION UNIT
20 WASHINGTON PLACE
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The Honorable Harold A. Ackerman
United States District Judge
Martin Luther King, Jr.
Federal Building and U.S. Courthouse
50 Walnut Street
Newark, NJ 07101-0999

RE: **RICHARDS, Daniel**
Docket No.: 95 Cr-255-001

*Recommendation for Expiration with
Outstanding Restitution*

Dear Judge Ackerman:

On September 26, 2000, the above-referenced was sentenced by Your Honor for Theft from a Program Receiving Federal Funds. Richards was sentenced to a 26 month term of imprisonment followed by three years of supervised release. As special conditions, it was ordered that the offender provide full financial disclosure to the probation office, submit to a mental health evaluation, and is to refrain from any involvement with the Farmers Home Administration. In addition, Richards was ordered to pay restitution in the amount of \$64,000 to U.S.D.A. Rural Development.

On August 23, 2002, Richards was released from the Federal Bureau of Prisons and commenced his term of supervision. His adjustment has been fair. Upon his release at the age of 68, the offender considered himself retired and continued to collect social security, which was reportedly his only income. Therefore, he began submitting minimum monthly restitution payments of \$25. To date, Richards has paid a total of \$765 toward his restitution obligation. The offender has been cooperative with the probation office regarding financial disclosure. The probation office has conducted periodic financial assessments, as well as, maintained contact with the Financial Litigation Unit, who have also conducted their financial investigations. It appears the offender's payments are in minimally commensurate with is ability to pay.

The offender's sentence is due to expire on August 22, 2005. Unless Your Honor considers otherwise, the probation office recommends the supervision term be allowed to expire as scheduled since the restitution order remains imposed as a final judgment, pursuant to Title 18, United States Code, Sections 3554 & 3613. The Financial Litigation Unit of the United States Attorney's Office will be notified of the expiration of supervision and will continue to pursue collection. If Your Honor requests an alternative course of action, please contact the undersigned at (973) 645-6242.

The Honorable Harold A. Ackerman

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Expiration of Supervision with Outstanding Restitution Balance

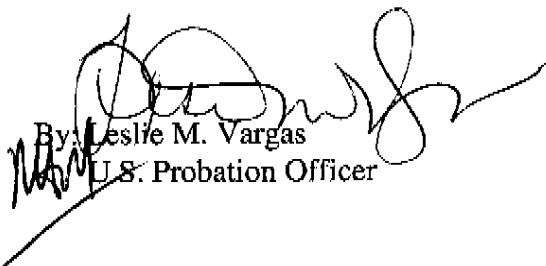
**U.S. v. Daniel Richards
Dkt. #: 95-255-001**

 Court approves of the offender's termination from supervision without further action.

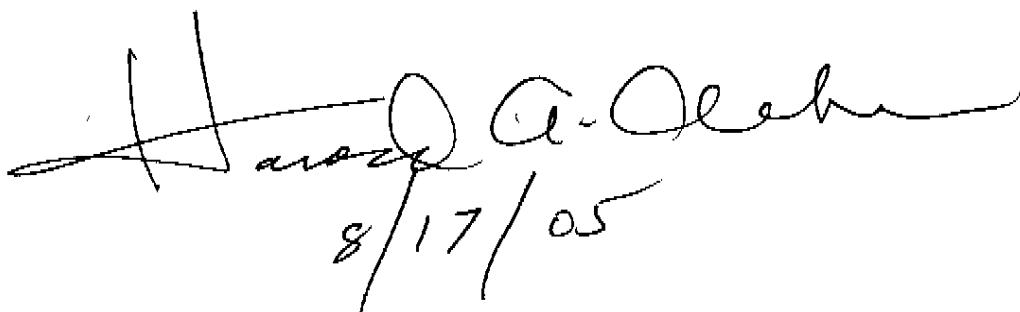
 Court disapproves of the offender's termination from supervision and instructs the Probation Office to return this matter to Court for a review hearing.

Very truly yours,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


By: Leslie M. Vargas
U.S. Probation Officer

/lmv


8/17/05